

Amendment and Response to Election of Species Requirement
Title: Carton with an Interlocking Divider Pad
Filed: December 2, 2003

Amendments to the Claims:

This listing of claims will replace all prior versions and listings of claims in the application:

Listing of Claims:

1. (currently amended) An article carrying carton with two ends loaded with a plurality of articles, comprising:

(a) said carton having a bottom panel, top panel and foldably attached adjoining side panels with at least one end being an interlocking end which is closed by a top end flap foldably attached to the top panel, a bottom end flap foldably attached to the bottom panel and a side end flap with an inside and outside which is foldably attached to each side panel, with each side end flap having ~~[[a]]~~ an open-ended slit in an end remote from the side panel to which said side end flap is attached, with said end flaps being held together by closing means;

(b) two layers of articles with at least two rows of articles in each layer;

(c) an interlocking separator pad with two ends, of which at least one end is an interlocking end which is adjacent an interlocking end of the carton, said pad being located between the two layers of articles with each interlocking end of the pad having a single foldably attached leading flap with the leading flap extended through the slit in each side end flap on the interlocking end of the carton and interlocked with the side end flaps, with each interlocking end of the pad being folded in its entirety in a single direction such that the single leading flap being ~~is~~ in a plane perpendicular to the bottom panel of the carton and being located on the outside of said side end flaps; and

(d) means for closing the other end of the carton.

2. (original) The carton loaded with a plurality of articles of claim 1, in which the means for closing the interlocking end of the carton is by gluing the top end flap and bottom end flap to the side end flaps, and the other end of the carton is closed by a top end flap foldably

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attached to the top panel and a bottom end flap foldably attached to the bottom panel and a side end flap foldably attached to each side panel, with the other end of the carton being closed by gluing the top end flap and bottom end flap to the side end flaps.

3. (original) The carton loaded with a plurality of articles of claim 1, in which one end of the interlocking pad is an interlocking end and the other end has a foldably attached trailing flap which is located in a plane perpendicular to said pad and extends at least close to a panel of the carton that is parallel to said pad so as to better separate and support the articles in the carton.

4. (original) The carton loaded with a plurality of articles of claim 1, in which both ends of the carton are interlocking ends with both ends of the interlocking separator pad being interlocking ends and in which the means for closing the interlocking ends of the carton is by gluing the top end flap and bottom end flap to the side end flaps.

5. (currently amended) The carton loaded with a plurality of articles of claim 3, in which the articles are generally cylindrical containers with two ends with an axis extending between the two ends, said axes of the ~~cylindrical~~ containers being perpendicular to the separator pad.

6. (currently amended) The carton loaded with a plurality of articles of claim 4, in which the articles are generally cylindrical containers with two ends with an axis extending between the two ends, said axes of the ~~cylindrical~~ containers being perpendicular to the separator pad.

7. (currently amended) The carton loaded with a plurality of ~~cylindrical containers~~ articles of claim 5, said carton having a dispenser flap which when removed provides an opening which permits the removal of the containers from each layer, said dispenser flap formed by a

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bottom tear line in a side panel which is at least substantially parallel to an end of the carton and a top tear line spaced apart from said bottom tear line and is at least substantially parallel thereto, said bottom and top tear lines extending into the adjoining top panel and interconnecting each other and extending into the adjoining bottom panel and interconnecting each other, said parallel tear lines being spaced apart by a distance sufficient to permit the removal through said opening of a container by a person.

8. (currently amended) The carton loaded with a plurality of ~~cylindrical containers~~ articles of claim 7, in which said bottom tear line in the side panel of the carton is located from the closest side end flap by a distance which is sufficient to prevent a container adjacent the closest side end flap from rolling out of the opening formed when the dispenser flap is removed when the carton is resting on the end where said side end flap is located, but with said bottom tear line not being so far from said closest side end flap to prevent the removal through said opening of a container adjacent said closest side end flap.

9. (currently amended) The carton loaded with a plurality of ~~cylindrical containers~~ articles of claim 8, in which the tear lines that extend into the adjoining bottom panel and adjoining top panel of the carton extend into each said panel far enough to permit a person to grasp the adjacent end of a container through the opening formed when the dispenser flap is removed.

10. (currently amended) The carton loaded with a plurality of ~~cylindrical containers~~ articles of claim 9, in which a tear line interconnects said bottom tear line and top tear line in said side panel of the carton to facilitate opening said dispenser flap.

11. (currently amended) The carton loaded with a plurality of ~~cylindrical containers~~ articles of claim 10, which has at least one finger flap in the dispenser flap adjacent to the tear

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line connecting the top and bottom tear lines together in said side panel to facilitate tearing the dispenser flap open.

12. (currently amended) The carton loaded with a plurality of ~~cylindrical containers~~ articles of claim 11, which has a tear line in the bottom panel between the bottom tear line and the closest bottom end flap and a tear line in the top panel between the bottom tear line and the closest top end flap to enable a person to move that portion of the side panel between the bottom tear line and the closest side end flap a sufficient distance to permit the easy removal of containers from the opening formed by the removal of the dispenser flap.

13. (currently amended) The carton loaded with a plurality of ~~cylindrical containers~~ articles of claim 6, said carton having a dispenser flap which when removed provides an opening which permits the removal of the containers from each layer, said dispenser flap formed by a bottom tear line in a side panel which is at least substantially parallel to an end of the carton and a top tear line spaced apart from said bottom tear line and is at least substantially parallel thereto, said bottom and top tear lines extending into the adjoining top panel and interconnecting each other and extending into the adjoining bottom panel and interconnecting each other, said parallel tear lines being spaced apart by a distance sufficient to permit the removal through said opening of a container by a person.

14. (currently amended) The carton loaded with a plurality of ~~cylindrical containers~~ articles of claim 13, in which said bottom tear line in the side panel of the carton is located from the closest side end flap by a distance which is sufficient to prevent a container adjacent the closest side end flap from rolling out of the opening formed when the dispenser flap is removed when the carton is resting on the end where said side end flap is located, but with said bottom tear line not being so far from said closest side end flap to prevent the removal through said opening of a container adjacent said closest side end flap.

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15. (currently amended) The carton loaded with a plurality of ~~cylindrical containers~~ articles of claim 14, in which the tear lines that extend into the adjoining bottom panel and adjoining top panel of the carton extend into each said panel far enough to permit a person to grasp the adjacent end of a container through the opening formed when the dispenser flap is removed.

16. (currently amended) The carton loaded with a plurality of ~~cylindrical containers~~ articles of claim 15, in which a tear line interconnects said bottom tear line and top tear line in said side panel of the carton to facilitate opening said dispenser flap.

17. (currently amended) The carton loaded with a plurality of ~~cylindrical containers~~ articles of claim 16, which has at least one finger flap in the dispenser flap adjacent to the tear line connecting the top and bottom tear lines together in said side panel to facilitate tearing the dispenser flap open.

18. (currently amended) The carton loaded with a plurality of ~~cylindrical containers~~ articles of claim 17, which has a tear line in the bottom panel between the bottom tear line and the closest bottom end flap and a tear line in the top panel between the bottom tear line and the closest top end flap to enable a person to move that portion of the side panel between the bottom tear line and the closest side end flap a sufficient distance to permit the easy removal of containers from the opening formed by the removal of the dispenser flap.

19. (withdrawn) The carton loaded with a plurality of ~~cylindrical containers~~ articles of claim 5, which carton has a dispenser flap in one end of the carton which when removed creates an opening which permits the removal of containers from each layer, said dispenser flap being formed by a tear line that extends through the bottom end flap to the bottom panel and turns toward the side panel upon which the carton is designed to rest when dispensing containers, said tear line extending to said side panel, said tear line also extending through the top end flap to

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the top panel and turns towards said side panel, said tear line extending to said side panel, with said tear line in the bottom end flap and top end flap being located at a sufficient distance from said side panel to permit containers to be removed from each layer but not so far from said side panel as to allow containers to automatically roll out of the opening when the dispenser flap is removed.

20. (withdrawn) The carton loaded with a plurality of ~~eylindrical containers~~ articles of claim 6, which carton has a dispenser flap in one end of the carton which when removed creates an opening which permits the removal of containers from each layer, said dispenser flap being formed by a tear line that extends through the bottom end flap to the bottom panel and turns toward the side panel upon which the carton is designed to rest when dispensing containers, said tear line extending to said side panel, said tear line also extending through the top end flap to the top panel and turns towards said side panel, said tear line extending to said side panel, with said tear line in the bottom end flap and top end flap being located at a sufficient distance from said side panel to permit containers to be removed from each layer but not so far from said side panel as to allow containers to automatically roll out of the opening when the dispenser flap is removed.

21. (withdrawn) The carton loaded with a plurality of ~~eylindrical containers~~ articles of claim 19, in which the tear line in the bottom end flap curves downwardly from the bottom panel towards the side panel upon the carton is designed to rest when dispensing containers until it meets the tear line in the top end flap which extends upwardly to the top panel, said curve in the tear line providing resistance to the containers automatically rolling out of the opening when the dispenser flap is removed.

22. (withdrawn) The carton loaded with a plurality of ~~eylindrical containers~~ articles of claim 21, in which at least one finger flap is located adjacent the dispenser flap to facilitate the removal of the dispenser flap.

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23. (withdrawn) The carton loaded with a plurality of ~~cylindrical containers~~ articles of claim 19, in which the dispenser is located in the end of the carton where the trailing flap of the interlocking separator pad is located, with the trailing flap not extending into the opening formed when the dispenser flap is removed so as to impede the removal of containers from the opening.

24. (currently amended) A carton with two ends for carrying a plurality of generally cylindrical containers in two layers with at least two rows in each layer and an interlocking separator pad for keeping the layers of containers separate, comprising:

(a) a carton having a bottom panel, top panel and foldably attached adjoining side panels with one end of the carton being an interlocking end, with each end of carton being closed by a top end flap foldably attached to the top panel, a bottom end flap foldably attached to the bottom panel and a side end flap which is foldably attached to each side panel, with each side end flap having an end remote from the side panel to which said side end flap is attached, with each remote end on the side end flaps on the interlocking end of the carton having [[a]] an open-ended slit, with each end of the carton having been closed by gluing the top end flap and bottom end flap to the side end flaps on that end of the carton; and

(b) an interlocking separator pad with two ends, of which at least one end is an interlocking end which has a single foldably attached leading flap, said leading flap extending through the slits in the side end flaps on the interlocking end of the carton and interlocked, with the leading flap folded into a plane generally perpendicular to the bottom panel of the carton in a single direction, said pad having a foldably attached trailing flap which is folded into a plane generally perpendicular to the bottom panel of the carton and extending at least close to a panel of the carton that is parallel to said pad so as to better separate and support the ~~cylindrical~~ containers to be carried in the carton.

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25. (currently amended) A carton with two ends for carrying a plurality of generally cylindrical containers in two layers with at least two rows in each layer and an interlocking separator pad for keeping the layers of containers separate, comprising:

(a) a carton having a bottom panel, top panel and foldably attached adjoining side panels, with each end of the carton being an interlocking end, with each end of the carton being closed by a top end flap foldably attached to the top panel, a bottom end flap foldably attached to the bottom panel and a side end flap which is foldably attached to each side panel, with each side end flap having an end remote from the side end panel to which said side end flap is attached, with each remote end on each side end flap on each end of the carton having [[a]] an open-ended slit, with each end of the carton having been closed by gluing the top end flap and bottom end flap to the side end flaps on that end of the carton; and

(b) an interlocking separator pad with two ends, each of which is an interlocking end which has a single foldably attached leading flap, with each said leading flap extending through the slits in the side end flaps on an end of the carton, with each leading flap folded in a single direction into a plane generally perpendicular to the pad.

26. (original) The carton and interlocking separator pad of claim 24, for carrying a plurality of containers with each container having a diameter, said carton having a dispenser flap which when removed provides an opening which permits the removal of the containers from each layer, said dispenser flap formed by a bottom tear line in a side panel which is at least substantially parallel to an end of the carton and a top tear line spaced apart from said bottom tear line and is at least substantially parallel thereto, said bottom and top tear lines extending into the adjoining top panel and interconnecting each other and extending into the adjoining bottom panel and interconnecting each other, said parallel tear lines being spaced apart by a distance sufficient to permit the removal through said opening of a container by a person.

27. (original) The carton and interlocking separator pad of claim 26, in which said bottom tear line in the side panel of the carton is located from the closest side end flap by a

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distance which is sufficient to prevent any container in the carton adjacent to the closest side end flap from rolling out of the opening formed when the dispenser flap is removed when the carton is resting on the end where said side end flap is located, but with said bottom tear line not being so far from said closest side end flap to prevent the removal through said opening of a container adjacent said closest side end flap.

28. (original) The carton and interlocking separator pad of claim 27, in which the tear lines that extend into the adjoining bottom panel and adjoining top panel of the carton extend into each said panel far enough to permit a person to grasp the adjacent end of a container through the opening formed when the dispenser flap is removed.

29. (original) The carton and interlocking separator pad of claim 28, in which a tear line interconnects said bottom tear line and top tear line in said side panel of the carton to facilitate opening said dispenser flap.

30. (original) The carton and interlocking separator pad of claim 29, which has at least one finger flap in the dispenser flap adjacent to the tear line connecting the top and bottom tear lines together in said side panel to facilitate tearing the dispenser flap open.

31. (original) The carton and interlocking separator pad of claim 30, which has a tear line in the bottom panel between the bottom tear line and the closest bottom flap and a tear line in the top panel between the bottom tear line and the closest top end flap to enable a person to move that portion of the side panel between the bottom tear line and the closest side end flap a sufficient distance to permit the easy removal of containers from the opening formed by the removal of the dispenser flap.

32. (withdrawn) The carton and interlocking separator pad of claim 24, which carton has a dispenser flap in one end of the carton which when removed creates an opening which

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permits the removal of containers from each layer, said dispenser flap being formed by a tear line that extends through the bottom end flap to the bottom panel and turns toward the side panel upon which the carton is designed to rest when dispensing containers, said tear line extending to said side panel, said tear line also extending through the top end flap to the top panel and turns towards said side panel, said tear line extending to said side panel, with said tear line in the bottom end flap and top end flap being located at a sufficient distance from said side panel to permit containers to be removed from each layer, but not so far from said side panel as to allow containers to automatically roll out of the opening when the dispenser flap is removed, with said trailing flap not extending into the opening formed when the dispenser flap is removed.

33. (original) The carton and interlocking separator pad of claim 25, which carton has a dispenser flap in one end of the carton which when removed creates an opening which permits the removal of containers from each layer, said dispenser flap being formed by a tear line that extends through the bottom end flap to the bottom panel and turns toward the side panel upon which the carton is designed to rest when dispensing containers, said tear line extending to said side panel, said tear line also extending through the top end flap to the top panel and turns towards said side panel, said tear line extending to said side panel, with said tear line in the bottom end flap and top end flap being located at a sufficient distance from said side panel to permit containers to be removed from each layer, but not so far from said side panel as to allow containers to automatically roll out of the opening when the dispenser flap is removed.

34. (currently amended) A blank for a carton with two ends for carrying a plurality of generally cylindrical containers in two layers with at least two rows in each layer and an interlocking separator pad for keeping the layers of containers separated, comprising:

(a) said carton blank having a bottom panel, top panel and foldably attached adjoining side panel, with one end of the carton being an interlocking end, with each end of the carton being closed by a top end flap foldably attached to the top panel, a bottom end flap foldably attached to the bottom panel and a side end flap which is foldably attached to each side panel,

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with each side end flap on the interlocking end of the carton having a remote end which has an open-ended a slit, with each end being designed to be closed by gluing the top end flap and bottom end flap to the side end flaps on that end of the carton; and

(b) an interlocking separator pad with two ends, at least one of which is an interlocking end which has a single foldably attached leading flap, said leading flap being designed to be inserted through the slits in the side end flaps on the interlocking end of the carton and interlocked, with the leading flap being designed to be folded into a plane perpendicular to the bottom panel of the carton a single direction, said pad having a foldably attached trailing flap which is designed to be folded into a plane perpendicular to the bottom panel of the carton and to extend at least close to a panel of the carton that is parallel to said pad so as to better separate and support the ~~cylindrical~~ containers to be carried in the carton.

35. (currently amended) A blank for a carton with two ends for carrying a plurality of generally cylindrical containers in two layers with at least two rows in each layer and an interlocking separator pad for keeping the layers of containers separated, comprising:

(a) said carton blank having a bottom panel, top panel and foldably attached adjoining side panel, with both ends of the carton being interlocking ends, with each end of the carton being closed by a top end flap foldably attached to the top panel, a bottom end flap foldably attached to the bottom panel and the side end flap which is foldably attached to each side panel, with each side end flap having a remote end which has ~~[[a]]~~ an open-ended slit with each end being designed to be closed by gluing the top end flap and bottom end flap to the side end flap on that end of the carton; and

(b) an interlocking separator pad with two ends with each end being an interlocking end which has a single foldably attached leading flap, said leading flap being designed to be inserted through the slits in the side end flaps on an end of the carton and interlocked, with each leading flap being designed to be folded into plane perpendicular to the bottom panel of a carton in a single direction.

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36. (currently amended) A blank for a carton with two ends for carrying a plurality of generally cylindrical containers in two layers with two rows in each layer and interlocking separator pad for keeping the layers of containers separate, comprising:

(a) a carton having a bottom panel, top panel and foldably attached adjoining side panels with one end of the carton being an interlocking end, with each end of carton being closed by a top end flap foldably attached to the top panel, a bottom end flap foldably attached to the bottom panel and a side end flap which is foldably attached to each side panel, with each side end flap on the interlocking end of the carton having an end remote from the side panel to which said side end flap is attached, with each remote end having an open-ended slit, with each end of the carton secured in the closed position by the top end flap and bottom end flap being designed to be closed by gluing to the side end flaps on each end of the carton; and

(b) an interlocking separator pad with two ends, with one end being an interlocking end which has a single foldably attached leading flap, with the leading flap designed to be inserted through the slits in the side end flaps on the interlocking end of the carton, with the leading flap being designed to be folded into a plane perpendicular to the bottom panel of the carton in a single direction and lodged between the side end flaps on the interlocking end of the carton and the bottom end flap and top end flap, said pad having a foldably attached trailing flap on the other end of the pad being designed to be folded into a plane perpendicular to the bottom panel of the carton with said trailing flap extending close to a panel of the carton that is parallel to said pad so as to better separate and support the containers to be carried in the carton.

37. (new) An article carrying carton with two ends loaded with a plurality of articles, comprising:

a carton, comprising:

- a bottom panel;
- a top panel;
- a first side panel;
- a second side panel;

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a first top end flap;
a first bottom end flap;
a first side end flap foldably attached to the first side panel, the first side end flap having a first open-ended slit;
a second side end flap foldably attached to the second side panel;
wherein the first top end flap, the first bottom end flap, the first side end flap and the second side end flap extend across a first end of the carton; and
a plurality of second end flaps extending across a second end of the carton;
two layers of articles with at least two rows of articles in each layer; and
an interlocking separator pad located between the two layers of articles, the interlocking separator pad having a first end with a first single foldably attached leading flap, wherein the first leading flap extends through the first open-ended slit in the first side end flap and being folded in its entirety in a single direction such that the single leading flap is in a plane generally perpendicular to the bottom panel and located outside of the first and second side end flaps.

38. (new) The carton and plurality of articles of claim 37, wherein the second side end flap has a second open-ended slit, the first leading flap extending through the second open-ended slit.

39. (new) The carton and plurality of articles of claim 37, wherein the first top end flap and the first bottom end flap are glued to the first and second side end flaps.

40. (new) The carton and plurality of articles of claim 37, wherein the first leading flap is located inside of the first top end flap.

41. (new) The carton and plurality of articles of claim 40, wherein a second end of the separator pad comprises a trailing flap located in a plane generally perpendicular to the bottom panel and extends adjacent to either the top or bottom panel.

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42. (new) The carton and plurality of articles of claim 37, the carton having at least one dispenser flap which when removed provides an opening which permits removal of the containers from the carton.

43. (new) The carton and plurality of articles of claim 37, wherein the articles are generally cylindrical containers with two ends with an axis extending between the two ends, the axes of the containers being generally perpendicular to the separator pad.